

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:23-cv-00346-MR-WCM

VERONICA D. NEWKIRK,

Plaintiff,

v.

TROOPER CHRISTOPHER

COLTON WADE, *in his individual  
and official capacities;*

TROOPERS JOHN DOES 1-2,

*in their individual and official capacities;*

COMMANDER GLENN M. MCNEIL JR.,

*in his individual and official capacity;*

NORTH CAROLINA

HIGHWAY PATROL;

SECRETARY EDDIE BUFFALOE, JR.,

*in his individual and official capacity;*

NORTH CAROLINA DEPARTMENT

OF PUBLIC SAFETY;

DEPUTIES JANE DOES 1-4,

*in their individual and official capacities;*

DETENTION CAPTAIN MICHAEL

MAUNEY, *in his individual*

*and official capacity;*

DETENTION MAJOR RODNEY FITCH,

*in his individual and official capacity;*

SHERIFF ALAN NORMAN,

*in his individual and official capacity;*

and

LIBERTY MUTUAL INSURANCE

COMPANY,

Defendants.

ORDER

This matter is before the Court on the following *pro se* filings by Plaintiff:

1. “Motion to Strike Plaintiff’s Opposition to Motion to Dismiss by Defendant Eddie Buffaloe Jr. Filed on April 23, 2024” (the “First Motion to Strike,” Doc. 41).
2. “Motion to Strike Plaintiff’s Opposition to Motion to Dismiss by Defendants, North Carolina Department of Public Safety and North Carolina State Highway Patrol Filed on April 23, 2024” (the “Second Motion to Strike,” Doc. 43).

Through these Motions, Plaintiff requests that the Court strike Plaintiff’s previously filed responses to Motions to Dismiss that have been filed by Defendants, see Docs. 34, 35, and accept her revised responses in opposition to those Motions to Dismiss, Docs. 42, 44.

Neither Motion to Strike includes Plaintiff’s original signature, see Doc. 40 (advising Plaintiff of this requirement), nor provides information regarding Defendants’ position with respect to Plaintiff’s requests. See Local Civil Rule 7.1(b). Plaintiff is advised that her future filings should comply with the Federal Rules of Civil Procedure, this Court’s Local Rules, and any Orders entered in this matter.

Nonetheless, in light of Plaintiff’s *pro se* status, and in order to ensure that this matter proceeds in an orderly manner, the Court, in its discretion, will grant the First and Second Motions to Strike in part.

**IT IS HEREBY ORDERED THAT:**

1. The First Motion to Strike (Doc. 41) is **GRANTED IN PART AND DENIED IN PART** as follows:

a. To the extent this Motion requests that the Court accept Plaintiff's filing (Doc. 42), it is **GRANTED**. The Court will construe said filing as being a supplemental response in opposition to the Motion to Dismiss filed by Defendant Eddie Buffalo Jr.

b. To the extent this Motion requests that the Court strike Plaintiff's previous filing, it is **DENIED**.

2. The Second Motion to Strike (Doc. 43) is **GRANTED IN PART AND DENIED IN PART** as follows:

a. To the extent this Motion requests that the Court accept Plaintiff's filing (Doc. 44), it is **GRANTED**. The Court will construe said filing as being a supplemental response in opposition to the Motion to Dismiss filed by filed by Defendants North Carolina Department of Public Safety and North Carolina State Highway Patrol.

b. To the extent this Motion requests that the Court strike Plaintiff's previous filing, it is **DENIED**.

3. Defendants are **GIVEN LEAVE** to file replies, if any, to Plaintiff's supplemental responses, provided that any such replies shall be filed on or before **May 10, 2024**.

Signed: May 2, 2024

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

